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Fisheries Regulatory Update, April 2012

Regulations that became Effective since February 2012:

Oysters — Public Shellfish Fishery Areas — Emergency and Proposed

08.02.04.17

Emergency — Effective 10/10/11 through 4/6/12

Proposed — Comment Period Ended 11/21/11, Effective 4/2/12

Declassification of PSFA 119 in the Patuxent River in order to issue an aquaculture lease to Rachel Dean.

The public process has not resulted in any opposition to the leased area. All permits and grants are in place.

Points & Suspensions Updates — Proposed

08.02.13.02, .03, .05 - .08

Comment Period Ended 1/30/12, Effective 3/5/12

Make needed changes to the commercial, charter and recreational penalty systems and to the contested case hearing process.

License Targets — Proposed

08.02.01.05

Comment Period Ended 2/27/12, Effective 4/2/12

The purpose of this action is to modify the number of commercial fishing license authorization targets. Modifications to the authorization targets reflect the number of license conversions and the number of LCC, CB3 and TFL buybacks.

Crabs — Proposed

08.02.03.14

Comment Period Ended 2/27/12, Effective 4/2/12

The purpose of this action is to unfreeze limited crab harvester licenses (LCC) in order to allow them to participate in the 2012 crab fishery.

Oysters — Power Dredge Study Area — Emergency and Proposed

08.02.04.12

Emergency — Effective 1/19/12 through 4/1/12

Proposed — Comment Period Ended 2/13/11, Effective 4/2/12

The purpose of the action is to establish a power dredge study zone in Dorchester County to study the impacts of the power dredge fishery on oyster populations.

Tautog — Proposed

08.02.05.20

Comment Period Ended 2/27/12, Effective 4/2/12

The purpose of the action is to bring Maryland into compliance with ASMFC requirements for a reduction in the fishery.

Regulations that have been Proposed and are Following the APA Process:

General Chapter — Pilot Program — Proposed

08.02.01.10

Comment Period Ends 4/23/12, Scheduled Effective 5/28/12

Creates a new regulation for a pilot program permit structure for future fisheries pilot programs. DNR proposes to conduct certain voluntary commercial fishing pilot projects for practical demonstration and evaluation of alternative fisheries management and harvest methods to increase efficiency and value.

Spanish Mackerel — Proposed

08.02.05.14

Comment Period Ends 6/4/12, Scheduled Effective 7/23/12

The purpose of the action is to comply with the ASMFC Omnibus Amendment for Spanish mackerel, spot and spotted seatrout. The requirement is to mirror the regulations of the South Atlantic Council for Spanish Mackerel. Specifically, for the recreational fishery, Maryland will require that a Spanish mackerel be landed with the head and tail intact. The commercial fishery will have a creel limit of 3500 pounds per vessel, per day/trip, whichever is longer, regardless of the number of licensees on board.

Public Notices Issued February and March:

Commercial Striped Bass Season Closure

Closed the 2012 striped bass commercial gill net fishery, effective 12:01 a.m. on Thursday, February 16, 2012. The commercial striped bass gill net fishery will re-open on Tuesday, February 28, 2012 and Wednesday, February 29, 2012 only. The daily catch limit will be 300 pounds per striped bass harvest permit with a daily vessel limit of 1200 pounds per vessel. Published in the Baltimore Sun 2/11/12.

Commercial Yellow Perch Closure on the Upper Bay

The 2012 commercial yellow perch fishery on the Upper Bay will close on Wednesday, February 22, 2012 at 12:01 am. The Chester and Patuxent River yellow perch fisheries will remain open. Published in the Baltimore Sun 2/21/12.

Blue Crabs

Commercial hard crab bushel limits were announced for 2012 for the Chesapeake Bay and its tidal tributaries. Published in the Baltimore Sun 3/20/12.

Submerged Land Lease — Wisner

Application for a shellfish aquaculture submerged land lease by Eric Wisner in Nanticoke River, Wicomico County, Maryland. The applicant proposes to deposit oyster shell as needed within the given area to a maximum depth of two inches for the purpose of culturing Eastern Oyster (*Crassostrea virginica*) and to harvest using

methods approved by the Department. Published in the Daily Times on March 26, April 2, April 9 and April 16, 2012

Submerged Land Lease — Wisner

Application for a shellfish aquaculture submerged land lease by Eric Wisner in Nanticoke River, Dorchester County, Maryland. The applicant proposes to deposit oyster shell as needed within the given area to a maximum depth of three inches for the purpose of culturing Eastern Oyster (*Crassostrea virginica*) and to harvest using methods approved by the Department. A map of the proposed lease is available on the Fisheries Service Public Notice web page, <http://www.dnr.state.md.us/fisheries/notices/notices.asp>. Published in the Dorchester Star on March 30, April 6, April 13 and April 20, 2012

Water Column Lease — Balling and Lewis

Application for a shellfish aquaculture water column lease by Richard Balling and David Lewis in Phillips Creek, Dorchester County, Maryland. The proposed lease is located in the Little Choptank River oyster sanctuary north of Cedar Point and northwest of Cherry Island. The applicants propose to place cages on bottom up to a maximum of 20" high for the purpose of culturing Eastern Oyster (*Crassostrea virginica*) and to harvest using methods approved by the Department. A map of the proposed lease is available on the Fisheries Service Public Notice web page, <http://www.dnr.state.md.us/fisheries/notices/notices.asp>. Dorchester Star Fridays March 30, April 6, April 13 and April 20, 2012

Recreational Summer Flounder Regulations for 2012

The recreational summer flounder fishery will re-open statewide at 12:01am, Saturday, April 14th, 2012. The fishery will remain open through 11:59 pm December 16, 2012. Recreational anglers may keep up to 3 summer flounder per person per day. The minimum size for summer flounder is 17 inches in all Maryland state waters. The commercial hook and line minimum size is also 17 inches in all Maryland state waters.